

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Deborah K. Kirkland

Docket No. 5:14-MJ-2217-1

Petition for Action on Probation

COMES NOW Mindy L. Threlkeld, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Deborah K. Kirkland, who, upon an earlier plea of guilty to 18 U.S.C. §13, assimilating 20-138.1, Driving While Impaired, Level - 5, was sentenced by the Honorable Robert T. Numbers, II, U.S. Magistrate Judge, on August 9, 2017, to 12 months probation under the conditions adopted by the court.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: The defendant is currently being supervised by U.S. Probation Technician, Breanna Dunne, in the Southern District of Iowa. According to Dunne, the defendant reported to their office on August 25, 2017, and admitted that her urinalysis would come back positive for Marijuana. On August 28, 2017, lab results confirmed that the defendant had used Marijuana. The defendant has been admonished for her drug use and has agreed to the addition of several special conditions.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant must participate in a program of testing and/or treatment for substance abuse, as directed by the Probation Officer, until such time as the defendant is released from the program by the Probation Office. At the direction of the Probation Office, the defendant must receive a substance abuse evaluation and participate in inpatient and/or outpatient treatment, as recommended. Participation may also include compliance with a medication regimen. The defendant will contribute to the costs of services rendered (co-payment) based on ability to pay or availability of third party payment. The defendant must not use alcohol and/or intoxicants during the course of supervision.
2. The defendant must submit to a mental health evaluation. If treatment is recommended, the defendant must participate in an approved treatment program and abide by all supplemental conditions of treatment. Participation may include inpatient/outpatient treatment and/or compliance with a medication regimen. The defendant will contribute to the costs of services rendered (co-payment) based on ability to pay or availability of third party payment.
3. The defendant will submit to a search of their person, property, residence, adjacent structures, office, vehicle, papers, computers (as defined in 18 U.S.C. §1030(e)(1)), and other electronic communications or data storage devices or media, conducted by a U.S. Probation Officer. Failure to submit to a search may be grounds for revocation. The defendant must warn any other residents or occupants that the premises and/or vehicle may be subject to searches pursuant to this condition. An officer may conduct a search pursuant to this condition only when reasonable suspicion exists that you have violated a condition of your release and/or that the areas or items to be searched contain evidence of this violation or contain contraband. Any search must be conducted at a reasonable time and in a reasonable manner. This condition may be invoked with or without the assistance of law enforcement, including the U.S. Marshals Service.

4. The defendant must not patronize business establishments where more than fifty percent of the revenue is derived from the sale of alcoholic beverages.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Eddie J. Smith
Eddie J. Smith
Supervising U.S. Probation Officer

/s/ Mindy L. Threlkeld
Mindy L. Threlkeld
Senior U.S. Probation Officer
150 Rowan Street Suite 110
Fayetteville, NC 28301
Phone: 910-354-2539
Executed On: August 29, 2017

ORDER OF THE COURT

Considered and ordered on August 31, 2017
made a part of the records in the above case.

. It is further ordered that this document shall be filed and



Robert T. Numbers, II
United States Magistrate Judge